

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Alexandria Division)**

**LEN STOLER, INC. d/b/a LEN STOLER
AUDI,**

Plaintiff,

- against -

**VOLKSWAGEN GROUP OF AMERICA,
INC. d/b/a AUDI OF AMERICA, INC.,**

Defendant.

Case No. 1:15CV1659-TSE/JFA

JOINT MOTION TO AMEND SCHEDULING ORDER

As suggested by the Court at a hearing on Plaintiff's motion for partial summary judgment that was heard on September 2, 2016, the parties, by counsel, respectfully move this Court to amend the existing Scheduling Order dated May 16, 2016, ECF #21 to provide further dates and a continuance of the final pretrial conference, consistent with the dates set forth in the attached proposed Amended Scheduling Order. As discussed in Court on September 2, 2016, and consistent with the Court's Minute Order and Order dated September 2, 2016, ECF #48 and #49, the parties request this additional time in order to supplement the factual record for summary judgment, to supplement Plaintiff's motion for partial summary judgment, which has been taken under advisement by the Court, to allow Defendant to cross-move for summary judgment, should it wish to do so, and to postpone the pretrial conference until a date not sooner

than November 3, 2016, after the summary judgment motion(s) are heard. Parties submit the enclosed Amended Scheduling Order and ask that it be entered by the Court.

DATED: September 9, 2016

Respectfully submitted,

/s/ Barbara S. Wahl

Barbara S. Wahl
Arent Fox LLP
1717 K Street, N.W.
Washington, DC 20006
Barbara.wahl@arentfox.com

Russell P. McRory (*pro hac vice*)
Michael P. McMahan (*pro hac vice*)
Arent Fox LLP
1675 Broadway
New York, NY 10019

Counsel for Plaintiff
Len Stoler, Inc.
d/b/a Len Stoler Audi

/s/ Richard Mark Dare

Richard Mark Dare
Islerdare PC
1945 Old Gallows road, Suite 650
Tysons Corner
Vienna, Virginia 22182
T: (703) 748-2690
F: (703) 748-2695
mdare@islerdare.com

James R. Vogler (*pro hac vice*)
Daniel R. Fine (*pro hac vice*)
Jack O. Snyder, Jr. (*pro hac vice*)
Emily L. Gesmundo (*pro hac vice*)
Barak Ferrazzano Kirschbaum & Nagelberg LLF
West Madison Street, Suite 3900
Chicago, Illinois 60606

Counsel for Defendant
Volkswagen Group of America
d/b/a Audi of America, Inc.